

**ASSEMBLY BILL**

**No. 1152**

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**Introduced by Assembly Members Chesbro and Cook**

February 18, 2011

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An act to amend Sections 10933 and 10933.7 of the Water Code, relating to groundwater.

LEGISLATIVE COUNSEL'S DIGEST

AB 1152, as introduced, Chesbro. Groundwater.

(1) Existing law requires the Department of Water Resources to identify the extent of monitoring of groundwater elevations that is being undertaken within each basin or subbasin. If the department determines that all or a part of a basin or subbasin is not being monitored, the department is required to attempt to contact all well owners within the area not being monitored and determine if there is an interest in establishing a specified groundwater management plan, integrated regional water management plan, or voluntary groundwater monitoring association.

This bill would instead require the department to contact, for those purposes, all well owners within the unmonitored part of the groundwater basin or subbasin, and the county or counties and other specified entities overlying the unmonitored part of the groundwater basin or subbasin.

(2) Existing law provides that, if the department is required to perform groundwater monitoring functions for portions of a basin or subbasin after contacting all well owners within the area not being monitored, then the county and other specified entities that are authorized to assume responsibility for groundwater monitoring are not eligible for a water

grant or loan awarded or administered by the state, with a specified exception.

This bill would, instead, make the county and other specified entities that are contacted by the department ineligible for a water grant or loan awarded or administered by the state, if that county or other entity declines to assume responsibility for monitoring and reporting groundwater elevations in all or a portion of the unmonitored part of the basin or subbasin.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 10933 of the Water Code is amended to  
2 read:
- 3 10933. (a) On or before January 1, 2012, the department shall  
4 commence to identify the extent of monitoring of groundwater  
5 elevations that is being undertaken within each basin and subbasin.
- 6 (b) The department shall prioritize groundwater basins and  
7 subbasins for the purpose of implementing this section. In  
8 prioritizing the basins and subbasins, the department shall, to the  
9 extent data are available, consider all of the following:
- 10 (1) The population overlying the basin or subbasin.  
11 (2) The rate of current and projected growth of the population  
12 overlying the basin or subbasin.  
13 (3) The number of public supply wells that draw from the basin  
14 or subbasin.  
15 (4) The total number of wells that draw from the basin or  
16 subbasin.  
17 (5) The irrigated acreage overlying the basin or subbasin.  
18 (6) The degree to which persons overlying the basin or subbasin  
19 rely on groundwater as their primary source of water.  
20 (7) Any documented impacts on the groundwater within the  
21 basin or subbasin, including overdraft, subsidence, saline intrusion,  
22 and other water quality degradation.  
23 (8) Any other information determined to be relevant by the  
24 department.
- 25 (c) If the department determines that all or part of a basin or  
26 subbasin is not being monitored pursuant to this part, the  
27 department shall do all of the following:

1 (1) Attempt to contact all ~~well~~ of the following:

2 (A) All well owners within the ~~area not being monitored~~  
3 *unmonitored part of the basin or subbasin.*

4 (B) The county or counties overlying the *unmonitored part of*  
5 *the basin or subbasin.*

6 (C) All entities described in subdivisions (a) to (d), inclusive,  
7 of Section 10927, that are overlying the *unmonitored part of the*  
8 *basin or subbasin.*

9 (2) Determine if there is an interest in establishing any of the  
10 following:

11 (A) A groundwater management plan pursuant to Part 2.75  
12 (commencing with Section 10750).

13 (B) An integrated regional water management plan pursuant to  
14 Part 2.2 (commencing with Section 10530) that includes a  
15 groundwater management component that complies with the  
16 requirements of Section 10753.7.

17 (C) A voluntary groundwater monitoring association pursuant  
18 to Section 10935.

19 (d) If the department determines that there is sufficient interest  
20 in establishing a plan or association described in paragraph (2) of  
21 subdivision (c), or if the county agrees to perform the groundwater  
22 monitoring functions in accordance with this part, the department  
23 shall work cooperatively with the interested parties to comply with  
24 the requirements of this part within two years.

25 (e) If the department determines, with regard to a basin or  
26 subbasin, that there is insufficient interest in establishing a plan  
27 or association described in paragraph (2) of subdivision (c), and  
28 if the county decides not to perform the groundwater monitoring  
29 and reporting functions of this part, the department shall do all of  
30 the following:

31 (1) Identify any existing monitoring wells that overlie the basin  
32 or subbasin that are owned or operated by the department or any  
33 other state or federal agency.

34 (2) Determine whether the monitoring wells identified pursuant  
35 to paragraph (1) provide sufficient information to demonstrate  
36 seasonal and long-term trends in groundwater elevations.

37 (3) If the department determines that the monitoring wells  
38 identified pursuant to paragraph (1) provide sufficient information  
39 to demonstrate seasonal and long-term trends in groundwater

1 elevations, the department shall not perform groundwater  
2 monitoring functions pursuant to Section 10933.5.

3 (4) If the department determines that the monitoring wells  
4 identified pursuant to paragraph (1) provide insufficient  
5 information to demonstrate seasonal and long-term trends in  
6 groundwater elevations, and the State Mining and Geology Board  
7 concurs with that determination, the department shall perform  
8 groundwater monitoring functions pursuant to Section 10933.5.

9 SEC. 2. Section 10933.7 of the Water Code is amended to read:

10 10933.7. (a) If the department is required to perform  
11 groundwater monitoring functions pursuant to Section 10933.5,  
12 the county, and ~~the entities described in subdivisions (a) to (d),~~  
13 ~~inclusive, of Section 10927~~ *any other entity contacted by the*  
14 *department pursuant to paragraph (1) of subdivision (c) of Section*  
15 *10933, that declines to assume responsibility for monitoring and*  
16 *reporting groundwater elevations in all or a portion of the*  
17 *unmonitored part of a basin or subbasin* shall not be eligible for  
18 a water grant or loan awarded or administered by the state.

19 (b) Notwithstanding subdivision (a), the department shall  
20 determine that an entity described in subdivision (a) is eligible for  
21 a water grant or loan under the circumstances described in  
22 subdivision (a) if the entity has submitted to the department for  
23 approval documentation demonstrating that its entire service area  
24 qualifies as a disadvantaged community.